

PATENT
ATTORNEY DOCKET NO.: 041514-5116

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Keiichi ONODERA et al.

Application No.: 09/817,895

Filed: March 28, 2001

For: INFORMATION RECORDING SYSTEM
AND INFORMATION RECORDING
METHOD

Confirmation No.: 9524

Group Art Unit: 2861

Examiner: H.C. Pham

Mail Stop ISSUE FEE**Mail Stop ISSUE FEE**

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window
Alexandria, VA 22314

Sir:

**AMENDMENT AFTER ALLOWANCE UNDER 37 C.F.R. §1.312 AND STATEMENT
OF SUBSTANCE OF EXAMINER INTERVIEW
TRANSMITTAL FORM**

1. Transmitted herewith is an Amendment in response to the Notice of Allowability dated February 11, 2005.
2. Additional papers enclosed:
 - ☐ Submission of Replacement Drawing Sheets
 - ☐ Submission of Revocation of Original Power of Attorney and Grant of New Power of Attorney
 - ☐ Change of Correspondence Address
 - ☐ Change of Attorney Docket Number
 - ☐ Information Disclosure Statement
 - ☐ Form PTO-1449, _____ references included
 - ☐ Citations
 - ☐ Declaration of Biological Deposit
 - ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☒ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.

☐ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

| <u>Total Months Requested</u> | <u>Fee for Extension</u> | <u>[Fee for Small Entity]</u> |
|---------------------------------------|------------------------------|-----------------------------------|
| <input type="checkbox"/> one month | \$ 120.00 | \$ 60.00 |
| <input type="checkbox"/> two months | \$ 450.00 | \$ 225.00 |
| <input type="checkbox"/> three months | \$ 1,020.00 | \$ 510.00 |
| <input type="checkbox"/> four months | \$ 1,590.00 | \$ 795.00 |

Extension of time fee due with this request: _____

If an additional extension of time is required, please consider this a Petition therefor.

☐ An extension for _____ months has already been secured and the fee paid therefor of _____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

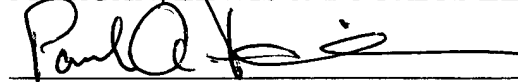
5. Fee Calculation (37 C.F.R. §1.16)

| CLAIMS AS AMENDED | | | | | | |
|---|---|-------|--------------------------------|------------------|----------------|------------|
| | Claims Remaining After Amendment | | Highest No. Previously Paid | Present Extra | at Rate of | Total Fees |
| Total Claims (37 C.F.R. §1.16(c)) | 20 | minus | 41 | 0 | x \$50 each = | + \$0.00 |
| Independent Claims (37 C.F.R. §1.16(b)) | 9 | minus | 13 | 0 | x \$200 each = | + \$0.00 |
| [] First presentation of Multiple dependent claim(s) | | | | | \$360.00 | + \$0.00 |
| SUB-TOTAL = | | | | | | \$0.00 |
| Reduction by ½ for filing by a small entity | | | | | | - \$0.00 |
| TOTAL FEE = | | | | | | \$0.00 |

6. Fee Payment

- ☒ No fee is to be paid at this time.
- ☐ The Commissioner is hereby authorized to charge \$0.00 to Deposit Account No. 50-0310 for the one-month extension of time fee.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP


Paul A. Fournier
Reg. No. 41,023

Dated: March 7, 2005

By:

CUSTOMER NO. 09629
MORGAN, LEWIS & BOCKIUS LLP
 1111 Pennsylvania Avenue, N.W.
 Washington, D.C. 20004
 Tel. 202-739-3000
 Fax 202-739-3001



PATENT
ATTORNEY DOCKET NO. 041514-5116

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Keiichi ONODERA et al.

Application No.: 09/817,895

Filed: March 28, 2001

For: INFORMATION RECORDING SYSTEM
AND INFORMATION RECORDING
METHOD

Confirmation No.: 9524

Group Art Unit: 2861

Examiner: H.C. Pham

Mail Stop ISSUE FEE

Mail Stop ISSUE FEE
Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window
Alexandria, VA 22314

Sir:

AMENDMENT AFTER ALLOWANCE UNDER 37 C.F.R. §1.312 and

STATEMENT OF SUBSTANCE OF EXAMINER INTERVIEW

A Notice of Allowability, mailed February 11, 2005, was received for this application.

Pursuant to 37 C.F.R. § 1.312 and subject to the recommendation of the Examiner and the approval of the Commissioner, and without withdrawing the case from issue, please amend the application as follows: